# LOCAL LAW NO. THREE OF THE YEAR 1997
# COUNTY OF GENESEE, NEW YORK

## A LOCAL LAW ENTITLED "A LOCAL LAW TO PROHIBIT SELF-SERVICE SALES OF TOBACCO PRODUCTS IN THE COUNTY OF GENESEE"

**BE IT ENACTED** by the Genesee County Legislature as follows:

Section 1. Legislative Findings:

A recent survey of underage smokers in Upstate New York found that over 50% of regular smokers in the 9th grade admitted to shoplifting cigarettes and over 70% reported they had no difficulty purchasing tobacco.

The Genesee County Legislature hereby finds that placement of tobacco products in self-service displays and open store shelves enables shoplifting to occur, and that the use of vending machines allows for the illegal purchase of tobacco products by minors. To prevent these problems, tobacco products should be placed behind store counters or otherwise stored or displayed in a secure location accessible only to vendors and their employees, and vending machines containing tobacco products will not be allowed.

Section 2. Placement of Tobacco Products

No vendor shall display or store products containing tobacco in a manner which allows direct access to the product by the customer prior to purchase. No vendor shall allow vending machines containing tobacco products in any location. This local law shall not apply to tobacco businesses, as defined in Article 13-E of the New York State Public Health Law.

Section 3. Exemption

Cigars and Pipe Tobacco will be exempt from this Local Law.

Section 4. Enforcement

Enforcement hearings and penalties for violations of this local law shall be pursuant to the Genesee County Sanitary Code, upon adoption by the Board of Health.

Section 5. Effective Date

This local law shall become effective sixty days after filing with the Secretary of State.

FILED: 10/1/97

COMPLIANCE: 10/1/97

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